

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITES STATES OF AMERICA :
 :
 vs. :
 :
 MATTHEW RASHAUN JONES : 2:16 CR 122

Plea in the above-captioned matter held on Tuesday,
January 17, 2017, commencing at 10:29 a.m., before the
Honorable David C. Norton, in Courtroom II, United States
Courthouse, 83 Meeting St., Charleston, South Carolina,
29401.

APPEARANCES:

TAMEAKA A. LEGETTE, ESQ., 14th Circuit
Solicitor's Office, P.O. Box 366, Walterboro,
SC, appeared for the Government.

THOMAS G. NESSLER, JR., ESQ., 1456 Southwood Dr.,
Surfside Beach, SC, appeared for defendant.

REPORTED BY DEBRA L. POTOCKI, RMR, RDR, CRR
P.O. Box 835
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843-579-2600

1 MS. LEGETTE: Morning, Your Honor, Tameaka Legette
2 for the Government. United States calls United States of
3 America versus Matthew Rashaun Jones. We're before the Court
4 in Criminal No. 2:16-CR-122. Your Honor, we're here for a
5 change of plea for Mr. Matthew Jones pursuant to a plea
6 agreement.

7 Pursuant to this plea agreement, Your Honor, Mr. Jones
8 will be pleading guilty to count one of the indictment, which
9 is conspiracy to participate in a pattern of racketeering
10 activity in violation of 18 U.S.C. Section 1962(d).

11 THE COURT: Be sworn for me, please, sir.

12 (Defendant sworn.)

13 THE COURT: Mr. Jones, it's my understanding that you
14 wish to change the plea you previously entered to a plea of
15 guilty to count one of this indictment. Is that correct?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Okay. Now, before I accept your plea,
18 there are a number of questions I'm going to ask you to make
19 sure it's a valid plea. If you don't understand any questions
20 or need to talk to your lawyer at any time, you let me know,
21 okay?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: The reason that's important, now that
24 you've been sworn, your answers to my questions will be
25 subject to penalties of perjury or lying under oath. Do you

1 understand that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Now, Mr. Jones, how old are you?

4 THE DEFENDANT: Twenty-three.

5 THE COURT: How far did you go in school?

6 THE DEFENDANT: Ninth grade.

7 THE COURT: Have you taken any drug or any medication
8 or consumed any alcoholic beverages in the last 24 hours?

9 THE DEFENDANT: No, sir.

10 THE COURT: Have you ever been treated for drug
11 addiction or mental illness?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: When was that?

14 THE DEFENDANT: When I was on probation back in 2013.

15 THE COURT: Um-hum.

16 THE DEFENDANT: I was on drug and alcohol program.

17 THE COURT: Outpatient. You weren't in a hospital.

18 THE DEFENDANT: No, sir.

19 THE COURT: Okay. Do you understand what's happening
20 here this morning?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Can you tell me in your own words, why
23 are you here this morning?

24 THE DEFENDANT: To plead guilty.

25 THE COURT: Do you have any doubt as to Mr. Jones'

1 competence to enter a plea here this morning, Mr. Nessler?

2 MR. NESSLER: None, Your Honor.

3 THE COURT: It appears to me you are competent to
4 plead to these charges, and I so find for the purposes of the
5 record. Have you had plenty of time to discuss your case with
6 your lawyer?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Are you satisfied with the job he's done
9 for you?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Has he done everything you asked him to
12 do?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Has he failed to do anything you asked
15 him to do?

16 THE DEFENDANT: (Shakes head negatively.)

17 THE COURT: You have to answer out loud.

18 THE DEFENDANT: No, sir.

19 THE COURT: Okay. You understand under the
20 constitution and laws of the United States, you're entitled to
21 a jury trial on these charges?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: You also understand that if you wanted a
24 jury trial, you'd have the right to the assistance of your
25 lawyer for your defense on the charges contained in the

1 indictment 16-122.

2 THE DEFENDANT: Yes, sir.

3 THE COURT: You also understand that if you wanted a
4 jury trial, at your trial you'd be presumed to be innocent,
5 and the Government's required to prove you guilty by competent
6 evidence and beyond a reasonable doubt before a jury could
7 find you guilty.

8 THE DEFENDANT: Yes, sir.

9 THE COURT: You also understand if you want a jury
10 trial, you would not have to prove that you were innocent at
11 your trial.

12 THE DEFENDANT: Yes, sir.

13 THE COURT: You also understand that if you wanted a
14 jury trial, in the course of your trial the witnesses for the
15 Government would come into court and they would testify in
16 your presence, and your lawyer could cross-examine the
17 Government's witnesses, object to the Government's evidence
18 and offer evidence in your defense?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Do you also understand if you wanted a
21 jury trial, you'd have the right to testify to the jury if you
22 wanted to?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: You also understand you have a
25 constitutional right not to testify if you don't want to?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: You also understand that if you chose not
3 to testify at your trial, the jury could not think that you
4 were guilty based on the fact that you had exercised your
5 constitutional right not to testify at your trial?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: You also understand that if you wanted a
8 jury trial, you'd have the right to issuance of subpoenas to
9 compel the attendance of witnesses to testify in your defense?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Now, if you plead guilty here this
12 morning and I accept this plea, you understand you're going to
13 waive your right to a jury trial, the other rights we've just
14 discussed, there's not going to be a jury trial, and I'm going
15 to sentence you on the basis of this guilty plea, after I
16 consider your presentence report.

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Also, if you plead guilty, you're going
19 to waive your right not to incriminate yourself, since I'm
20 going to ask you some questions about what you did, in order
21 to satisfy myself that you're guilty, and you'll have to
22 acknowledge you're guilty of these charges.

23 THE DEFENDANT: Yes, sir.

24 THE COURT: You also understand what you're pleading
25 guilty to is a felony, and as such, you could lose some of

1 your valuable civil rights, such as the right to vote or the
2 right to possess any firearm or bullet.

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Any restitution in this case?

5 MS. LEGETTE: None, Your Honor, that we're aware of
6 at this time.

7 THE COURT: Having discussed your rights with you,
8 Mr. Jones, do you still want to plead guilty?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Okay. Have you received a copy of the
11 indictment, that is, the written charges made against you in
12 this case?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Have you had plenty of time to go over
15 the indictment and all the other paperwork that the
16 Government's given your lawyer?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Okay. You're pleading guilty to count
19 one of the indictment, which charges conspiracy to participate
20 in a pattern of racketeering activity in violation of Title 18
21 United States Code Section 1962(d). If you went to trial on
22 this charge, you understand the Government would have to prove
23 the following beyond a reasonable doubt.

24 From at least 2009 until February 2016, here in South
25 Carolina, you, and others, being persons employed by and

1 associated with the Cowboys, which is an enterprise engaged in
2 and the activities of which affected interstate and foreign
3 commerce, together with persons known and unknown to the grand
4 jury, did knowingly and intentionally combine, conspire,
5 confederate and agree with one another to violate Title 18
6 United States Code Section 1962(c), that is, to conduct and
7 participate, directly and indirectly, in the conduct of the
8 affairs of the enterprise through a pattern of racketeering
9 activity, as defined in Title 18 United States Code Section
10 1961(1) and (5), consisting of acts of murder, robbery and
11 narcotics trafficking.

12 It was further a part of the conspiracy that each
13 defendant, including you, agreed that a conspirator would
14 commit at least two acts of racketeering activity in the
15 conduct of the affairs of the enterprise and to effect the
16 objects thereof. You and your co-conspirators committed and
17 caused to be committed overt acts as outlined in the
18 indictment, in the District of South Carolina and elsewhere,
19 all in violation of Title 18 United States Code Section
20 1962(d).

21 Mr. Jones, you understand the charge against you?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: You understand the Government would have
24 to prove each and every element of that charge beyond a
25 reasonable doubt before a jury could find you guilty of that

1 charge?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: The Court finds Mr. Jones fully
4 comprehends and understands the nature of the charges against
5 him and generally what elements the Government would have to
6 prove if we had a trial.

7 Do you understand, Mr. Jones, that the maximum possible
8 penalty is 20 years in jail, \$250,000 fine, five years
9 supervised release and special assessment of \$100?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Okay. Now, have you and your lawyer
12 talked about the Sentencing Guidelines?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: You talked about how the Sentencing
15 Guidelines might be applied in your case?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: You understand that nobody is going to be
18 able to determine the guidelines sentence for your case until
19 after your presentence report has been completed, and you and
20 the Government have had an opportunity to challenge the
21 probation officer's report?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: You also understand that after your
24 initial guidelines range has been determined, I have the
25 authority at sentencing, under some circumstances, to depart

1 from those guidelines or to vary from those guidelines, either
2 above those guidelines or below those guidelines?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: You also understand, at sentencing, I'll
5 examine the factors in 18 United States Code 3553(a), which
6 could result in a sentence either above your guidelines or
7 below your guidelines?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Do you understand under some
10 circumstances you or Government may have the right to appeal
11 any sentence I might impose?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: You also understand that parole has been
14 abolished in the federal system; if you're sentenced to
15 prison, you'll not be released on parole.

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Okay. Do you also understand if the
18 sentence is more severe than you expect it to be, you're still
19 bound by this guilty plea and you have no right to withdraw
20 it?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Okay. You also understand if you plead
23 guilty, the law requires you serve a term of supervised
24 release.

25 THE DEFENDANT: Yes, sir.

1 THE COURT: When you're on supervised release, you're
2 restricted to places you can go and the things you can do, and
3 you have to report to authorities on a regular basis.

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Kind of like being on bond, okay?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Okay. In your case a term of supervised
8 release is maximum five years. Do you understand that?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Do you also understand if you're on
11 supervised release and you violate a condition of your
12 supervised release, you can be brought back into court, and if
13 it's proved by a preponderance of the evidence that you did
14 violate a condition of your supervised release, you can be
15 sent back to jail for the entire term of your supervised
16 release?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Has anyone threatened you or threatened
19 anyone else or forced you in any way to plead guilty here this
20 morning?

21 THE DEFENDANT: No, sir.

22 THE COURT: Summarize the plea agreement for me, Miss
23 Legette.

24 MS. LEGETTE: Thank you, Your Honor. The plea
25 agreement is summarized as follows. Page one, paragraph one.

1 The defendant has agreed to plead guilty to count one of the
2 indictment, conspiracy to participate in a pattern of
3 racketeering activity, in violation of Title 18 United States
4 Code Section 1962(d).

5 Page two, paragraph two. The Government makes the
6 following agreement regarding sentencing. If the defendant,
7 Mr. Jones, makes full and complete disclosure to the U.S.
8 probation office, and demonstrates an acceptance of
9 responsibility for his offense, up to and including the time
10 of sentencing, the Government will recommend a two level
11 reduction in the applicable Sentencing Guidelines. And if the
12 defendant has an offense level of 16 or more, the United
13 States will also, at that time, recommend an additional one
14 level reduction in applicable Sentencing Guidelines.

15 Paragraph -- subsection (b), page two, restitution. The
16 defendant agrees to make restitution in this case to any of
17 the victims in the counts listed in the indictment, in an
18 amount to be determined by the Court at the time of
19 sentencing. At this time, however, the Government is not
20 aware of any restitution related to Mr. Jones' conduct.

21 Page three, paragraph three, pursuant to Federal Rule of
22 Criminal Procedure 11(c)(1)(A), the United States will dismiss
23 counts four and five at the time of sentencing, which are
24 respectively attempted murder and firearms charges.

25 THE COURT: Got any state charges in this case?

1 MS. LEGETTE: He does, and those will also be
2 dismissed at the time of sentencing.

3 THE COURT: Thank you.

4 MS. LEGETTE: Yes, Your Honor.

5 Page three, paragraph four, waiver of defenses and appeal
6 rights. The defendant is aware 18 U.S.C. 3742 and 28 U.S.C.
7 2255 afford every defendant certain rights to contest a
8 conviction and/or sentence. Acknowledging these rights, the
9 defendant, in exchange for the concessions made by the
10 Government in this plea agreement, except for a sentence that
11 is above the advisory guideline range, waives the right to
12 contest either the conviction or the sentence in any direct
13 appeal or other postconviction action, including any
14 proceedings under 28 U.S.C. 2255.

15 This waiver does not apply, however, to changes in the
16 law, claims of ineffective assistance of counsel or
17 prosecutorial misconduct raised pursuant to 28 U.S.C. 2255.

18 Page three, paragraph five. The defendant agrees to
19 provide detailed financial information to the United States
20 probation office prior to sentencing. He understands and
21 agrees that any monetary penalties are due immediately and are
22 subject to enforcement by the United States. Additionally, he
23 also understands that payments made can not be discharged in
24 bankruptcy.

25 Subsection (a), special assessments. The defendant also

1 must pay a special assessment of \$100 for each felony count
2 which he is convicted for.

3 Subsection (b), restitution. The defendant agrees to make
4 full restitution under 18 U.S.C. 3556 in an amount to be
5 determined by the Court at the time of sentencing.

6 Subsection (c), fines. The defendant also understands the
7 Court may impose a fine pursuant to 18 U.S.C. 3571 and 3572.

8 Page four, paragraph six. The defendant also understands
9 that sentencing is within the sole discretion of the Court.
10 Additionally, he also understands that his sentence in this
11 matter has not yet been determined by the Court, and any
12 estimate of a probable sentencing range given to him at this
13 point, Your Honor, is only a prediction and not a promise.

14 Page five, subsection -- page five, paragraph seven. The
15 defendant also agrees that all facts that determine his
16 offense level under the guidelines can be found by the Court
17 at sentencing by a preponderance of the evidence standard.
18 And that the Court may also consider any reliable evidence,
19 including hearsay.

20 Page five, paragraph eight. The defendant also
21 understands that the obligations of the Government within the
22 plea agreement are expressly contingent upon his abiding by
23 federal and state laws.

24 Page five, paragraph nine. In the event that Mr. Jones,
25 the defendant, fails to comply with any of the provisions of

1 his agreement, his plea agreement, the Government will have
2 the right, at its sole discretion, to void all of its
3 obligations under this plea agreement, and the defendant will
4 not have any right to withdraw his plea for the offense
5 enumerated herein.

6 Page five, paragraph ten. The defendant also, at this
7 point, has various trial rights. And he represents to this
8 Court that he has met with his attorney for a sufficient
9 number of times for a sufficient period of time, and that he
10 is hereby waiving those pretrial rights, as well as trial
11 rights, and that he has met with his attorney for a sufficient
12 amount of time.

13 And he's also waiving these rights knowingly and
14 voluntarily.

15 Page six, paragraph 11. The parties hereby agree that
16 this plea agreement contains the entire agreement of the
17 parties.

18 THE COURT: Mr. Jones, are those the terms of your
19 plea agreement as you understand them, sir?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And this is your signature on the last
22 page of your plea agreement?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: And before you signed it did you have
25 plenty of time to go over it with your lawyer?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: And before you signed it did you
3 understand what you've agreed to do and what the Government's
4 agreed to do in return?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Okay. Has anyone made you any promise
7 other than your plea agreement to induce you to plead guilty?

8 THE DEFENDANT: No, sir.

9 THE COURT: Has anyone made any prediction, prophecy
10 or promise as to what your sentence is going to be?

11 THE DEFENDANT: No, sir.

12 THE COURT: We have a factual basis somewhere.

13 MS. LEGETTE: We do, Your Honor, and it has not yet
14 been stipulated to. We're going to read it into the record
15 instead.

16 THE COURT: All right, fine.

17 MS. LEGETTE: Your Honor, at this point if this
18 matter had proceeded to trial, the Government will prove or
19 will have proven the following facts beyond a reasonable
20 doubt.

21 The parties agree that these facts do not encompass all of
22 the facts that would have been proven at trial, had the matter
23 proceeded to trial.

24 The Cowboys are a violent street gang with members based
25 in the Brittle Bank area east side of Waltherboro, South

1 Carolina.

2 The Cowboys do not have a formal hierarchy or defined dues
3 payment structure. Membership in the Cowboys is based on
4 neighborhood friendships. There is no formal jump in process
5 and no probationary period for acceptance.

6 Members of the Cowboys commit crimes on behalf of the gang
7 to increase their status within the gang. Members of the
8 Cowboys have authority within the gang to order and to commit
9 crimes on behalf of the gang.

10 The outcome of the crimes are reported to the leader of
11 the Cowboys. Failure to commit any crime on behalf of the
12 Cowboys can result in discipline, including violence, threats
13 of violence, physical beatings or death.

14 Members of the Cowboys maintain allegiance to and
15 discipline within the gang. Members of the Cowboys who choose
16 to distance themselves are subject to discipline from other
17 members. This discipline can include violence against a
18 member or family member, threats of violence against a member
19 or family member, physical beatings or death.

20 Members of the Cowboys show their allegiance by wearing
21 clothing in the colors of red, white and blue. Clothing
22 items, including shirts, pants and hats are worn in these
23 colors. Members carry rags, also known as flags, in these
24 colors, including depictions of the American flag.

25 Members of the Cowboys greet each other and show their

1 membership the gang using a set of hand signs intended to
2 evoke the shape of a B. This hand sign also shows an
3 affiliation with the Bloods gang. Members of the Cowboys also
4 show allegiance to the gang by having the words Cowboys or GMC
5 tattooed on some part of their body. Members of the Cowboys
6 communicate with each other and associates who are located
7 across the United States through the use of a telephone and
8 social networking websites. Photographs posted on social
9 networking sites depict firearms, large amounts of cash, and
10 what purports to be powder cocaine and crack cocaine.

11 Members of the Cowboys display threats to members of rival
12 gangs, threats to police, and the means by which members
13 commit crimes on behalf of the gang, as well as profits, by
14 posting videos on YouTube. These videos depict members and
15 associates of the Cowboys using lyrics, while dressed in
16 colors and displaying hand signs associated with the gang,
17 conveying threats to rival gang members, making statements
18 about law enforcement and individuals who have made reports to
19 law enforcement and how members make money.

20 These videos also depict various members of the Cowboys
21 displaying firearms, large amounts of U.S. currency and what
22 purports to be narcotics. Members and associates of the
23 Cowboys were expected to defend each other from rival gangs,
24 and to attack rival gang members with whom the Cowboys are in
25 an ongoing dispute.

1 The Cowboys gang, during the time frame set forth in the
2 indictment, were aligned with members and associates of
3 another street level criminal organization called the Wild
4 Boys. The Wild Boys operated out of the Green Pond area of
5 Walterboro, South Carolina. The Wild Boys, known to wear
6 light green or camouflage, also use light green rags or flags
7 to show allegiance to and represent the gang.

8 Wild Boys also use hand signs depicting a W to show
9 membership and allegiance in the gang. The Cowboys also
10 shared common interests with the Wild Boys, including the
11 production of rap music posted on YouTube which depicted large
12 amounts of U.S. currency, firearms, and what purports to be
13 narcotics.

14 The groups also shared common enemies, to include members
15 and associates of the Dooley Hill gang and the Go Boys.
16 Members and associates of the Cowboys have, including but was
17 not limited to Khiry Broughton, a/k/a Kblacka; Dashawn Trevell
18 Brown, a/k/a Shawny; Clyde Naquan Hampton, a/k/a One Loyal
19 Shooter; Zaquann Ernest Hampton, a/k/a TOB; Matthew Rashaun
20 Jones, a/k/a Boogie Mac; Christopher Shawn Brown, a/k/a
21 Roughish, or Roguy; Bryant Jameek Davis, a/k/a Savo; William
22 Lamont Cox, a/k/a Wataz; and Quintin John Fishburne.

23 Beginning on a date unknown to the grand jury, but at
24 least in 2009 and continuing to the date of the indictment in
25 this matter, the defendant and his co-conspirators, including

1 individuals listed above, were each a person employed by and
2 associated with the Cowboys, an enterprise engaged in and the
3 activities of which affected interstate and foreign commerce,
4 together with persons known and unknown to the grand jury, did
5 knowingly and intentionally combine, conspire, confederate and
6 agree with one another to violate Title 18 United States Code
7 Section 1962(c), that is, to conduct and participate directly
8 and indirectly in the conduct of the actions of the enterprise
9 through a pattern of racketeering activity as defined in Title
10 18 United States Code Sections 1961(1) through (5).

11 That racketeering activity consisted of, among other
12 things, multiple acts of murder, attempted murder and robbery,
13 among other things.

14 The defendant, Matthew Rashaun Jones, was a trusted member
15 of the Cowboys. Among the acts the defendant committed or
16 agreed that others would commit on behalf of the Cowboys on or
17 about May 12, 2011, the defendant participated in a drive-by
18 shooting. At the time, an associate of the Cowboys was
19 driving a vehicle and he had two passengers, Matthew Rashaun
20 Jones and Deshawn Trevell Brown.

21 Specifically, on or about May 12, 2011, in the 3000 block
22 of Robertson Boulevard in Walterboro, South Carolina, the
23 associate of the Cowboys drove his vehicle next to a vehicle
24 driven by an associate of a rival gang of the Cowboys. From
25 the vehicle, Matthew Rashaun Jones and Deshawn Trevell Brown

1 then fired multiple shots at the associate of the rival gang.
2 The associate of the rival gang was not injured.

3 Further, on or about May 30, 2013, in Walterboro, South
4 Carolina, Matthew Rashaun Jones participated in a drive-by
5 shooting. At the time, Clyde Naquan Hampton was driving a
6 vehicle, and he had two passengers, Matthew Rashaun Jones and
7 Christopher Dashawn Brown.

8 Specifically on May 13, Clyde Hampton drove the vehicle
9 past 62 Jared Road, Walterboro, South Carolina, a residence in
10 the Dooley Hill area where suspected members of the Dooley
11 Hill gang, a rival of the Cowboys, were believed to reside.

12 As Clyde Naquan Hampton drove past the home, Matthew
13 Rashaun Jones and Christopher Brown fired multiple shots at
14 the residence. No individuals were injured.

15 During the time of the conspiracy, members of the Cowboys
16 were involved in robberies, attempted murder and narcotics
17 trafficking. Robberies committed by members of the Cowboys
18 targeted, in part, businesses where cash could be obtained.
19 These robberies, as well as the communications via social
20 networking and YouTube, were activities that affected
21 interstate commerce.

22 Thank you, Your Honor.

23 THE COURT: Thank you. Mr. Jones?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Do you agree with the prosecutor's

1 summary of your involvement with the Cowboys in these drive-by
2 shootings?

3 THE DEFENDANT: Yes, sir.

4 THE COURT: Yeah? Yes, sir?

5 MR. NESSLER: Your Honor, as to the facts, the two --
6 he admits to the two drive-by shootings, that he was a
7 Cowboy -- Show him -- he does have tattoos and he was a member
8 of a criminal gang. But I haven't had a case in 40 years
9 where I agreed 100 percent with all of the
10 Government's summary.

11 THE COURT: You would agree with the prosecutor's
12 summary with regard to what they purport to be able to prove
13 at trial with regard to your client's participation in the
14 Cowboys and the RICO racketeering activity?

15 MR. NESSLER: Absolutely, yes, Your Honor.

16 THE COURT: You agree that if the prosecutor's
17 summary of Government's evidence was believed by the jury,
18 that your client, it would satisfy each and every element of
19 the charge your client's pleading guilty to?

20 MR. NESSLER: That's correct, Your Honor.

21 THE COURT: It's the finding of the Court in the case
22 of United States of America versus Matthew Rashaun Jones, that
23 Mr. Jones is fully competent and capable of entering an
24 informed plea, that his plea of guilty is a knowing and
25 voluntary plea, supported by an independent basis in fact,

1 containing each of the essential elements of the offense. His
2 plea is now accepted, and he's now adjudged guilty of that
3 offense.

4 Please sign this for me, Mr. Jones.

5 THE CLERK: May it please the Court. The defendant,
6 Matthew Rashaun Jones, having withdrawn his plea of not guilty
7 entered February 25, 2016, pleads guilty to count one of the
8 indictment after arraignment in open court. Signed defendant,
9 Matthew Jones, January 17, 2017.

10 THE COURT: Mr. Jones, what's going to happen now is
11 the probation office is going to prepare a presentence report,
12 probably interview you with regard to the report. They'll
13 send it to your lawyer, your lawyer will bring it to you, you
14 can go over it, make any objections or corrections you need
15 for the report. Those things will be reflected in an amended
16 report. And when that's done, we'll get together for
17 sentencing, okay? Understand?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Okay. Anything else, Mr. Nessler?

20 MR. NESSLER: Nothing.

21 THE COURT: Thank you very much.

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23 (Court adjourned at 10:54)
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REPORTER'S CERTIFICATION

I, Debra L. Potocki, RMR, RDR, CRR, Official Court Reporter for the United States District Court for the District of South Carolina, hereby certify that the foregoing is a true and correct transcript of the stenographically recorded above proceedings.

S/Debra L. Potocki

Debra L. Potocki, RMR, RDR, CRR